

EXECUTIVE COUNCIL OF IOWA

MINUTES

JANUARY 30, 2012

The Executive Council met in regular session at 10:01 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Auditor of State David Vaudt, Treasurer of State Michael Fitzgerald and Secretary of Agriculture William Northey were present. Secretary of State Matt Schultz was absent

Regular session
January 30,
2012

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held January 23, 2012.

Minutes
Approved

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Nays: None

Secretary Northey arrived.

Linda Berg, Iowa Finance Authority was present to request a new membership in Commercial Real Estate Women for one year in the amount of \$280.00

Approved New
Memberships

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the request.

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

David Mitchell, Department of Education, Iowa Vocational Rehabilitation Services was present to request a new membership in Mississippi Valley Human Resources Association for one year in the amount of \$25.00.

Moved by Treasurer Fitzgerald and seconded by Auditor Vaudt that the Council approve the request.

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Marvin Shultz, Department of Human Services, was present to request approval for additional Resolution for Funds in the amount of \$35,000.00, the State's 25% match with regard to FEMA Disaster Declaration DR 1998 for Individual Assistance and transfer of funds for distribution.

Approved
Resolutions of
Funds

Moved by Secretary Northey and seconded by Auditor Vaudt that the Executive Council approve the requests.

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the requests from the Department of Justice, Attorney General's office as follows:

Approved
Outside
Counsel

The Department of Justice, Attorney General's office request for retention of outside counsel pursuant to Iowa Code section 13.3(1) in Lisa Shelford v. Iowa State Penitentiary, the State of Iowa and the Second Injury Fund a worker's compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
 505 5th Avenue, Suite 729
 Des Moines, IA 50309-2390
Rate: \$80.00 per hour

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Auditor Vaudt and seconded by Secretary Northey that the Council approve the following leases:

Approved
Leases

- A. Lease between DNR and Thomas L. Christensen
Date of Lease: Five years, ending January 2, 2017
Legal Description: An area of dedicated public land 15' x 10', and an area 3' x 10', adjacent to Lot 15, in Block 35 of Triboji Beach Addition in Dickinson County, IA
Annual Fee: \$ 150.00
- B. Lease between DNR and Blackhawk Fleet, LLC (subsidiary of Marquette

Transportation Company)

Date of Lease: Five years, ending December 31, 2016

Legal Description: Area 3: is located at Mississippi River Mile 470 (Section 21, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa). It has a capacity to 34 barges anchored in two groups with one anchor barge each. Barges will be moored 9 wide by 2 long (approximately 315 feet of depth by 400 feet of frontage for each group). Area 8: is located at Mississippi River Mile 472 (Section 19, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa). It has a capacity of 17 barges anchored with 1 anchor barge. Barges will be moored 6 wide by 3 long (approximately 210 feet of depth by 600 feet of frontage). Barges may not be floated or other moored at Area 8 from May 1 through September 30.

Annual Fee: \$10,982.59

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Council approve the following requests for cost items:

Approved Cost
Items

- A. Nyemaster, Goode, West Hansell & O'Brien, P.C.\$9,148.82
700 Walnut, Suite 1600
Des Moines, IA 50309
Homan, Dotzler, Hunter, Jacoby, Running-Marquardt, and Beall v. Terry E. Branstad
- B. Dow, Lohnes PLLC.....\$2,432.10
1200 New Hampshire Ave NW Suite 800
Washington, DC 20036
Iowa Public Television
- C. Shuttleworth and Ingersoll, P.L.C..... \$4,369.26
115 3rd Street South East
Suite 500
Cedar Rapids, IA 52401
Mills v. Iowa Board of Regents et al., an employment termination case
- D. Weinhardt & Logan, P.C.\$1,678.47
2600 Grand Avenue, Suite 210
Des Moines, IA 50312
NevadaCare, Inc. v. Dept. of Human Services

E. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$4,314.57
700 Walnut Street
Suite 1600
Des Moines, IA 50309
Collections of Accounts in Court

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by a Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the following renewal memberships:

Approved
Renewal
Memberships

- A. Commerce - Banking in Association of Appraiser Regulatory Officials (AARO) in the amount of \$350.00 for January 1 - December 31, 2012.
- B. Commerce - Banking in National Council of Examiners for Engineering & Surveying (NCEES) in the amount of \$6,500.00 for January 1 - December 31, 2012.
- C. Emergency Management in ASIS - American Society of Industrial Security - Central Iowa Chapter in the amount of \$120.00 for January 1 - December 31, 2012.
- D. Emergency Management in ASIS-American Society of Industrial Security - National in the amount of \$150.00 for January 1 - December 31, 2012.
- E. Health in Administrators in Medicine in the amount of \$1,000.00 for January 1 - December 31, 2012.
- F. Health in Federation of State Medical Boards (FSMB) in the amount of \$2,400.00 for January 1 - December 31, 2012.
- G. Health in Federation of State Physician Health Programs (FSPHP) in the amount of \$700.00 for January 1 - December 31, 2012.
- H. Iowa Veterans Home in AIIM (Association for Information and Image Management) in the amount of \$135.00 for February 3, 2012 - February 3, 2013.
- I. Natural Resources in Assoc. of Midwest Fish and Game Law Enforcement Officers (AMFGLEO) in the amount of \$300.00 for January 1 - December 31, 2012.

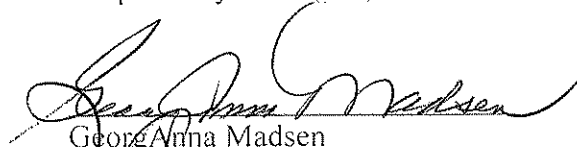
- J. Natural Resources in Association of American State Geologists in the amount of \$300.00 for January 1 - December 31, 2012.
- K. Natural Resources in National Safe Boating Council (NSBC) in the amount of \$150.00 for January 1 - December 31, 2012.
- L. Public Safety in International Association of Chiefs of Police (IACP) in the amount of \$1,750.00 for January 1 - December 31, 2012.
- M. Public Safety in Mid-States Organized Crime Information Center (MOCIC) in the amount of \$300.00 for January 1 - December 31, 2012.
- N. Transportation in American Association of State Highway and Transportation Officials in the amount of \$44,839.62 for January 1 - December 31, 2012.
- O. Transportation in APCO International in the amount of \$18.40 for January 1 - December 31, 2012.
- P. Transportation in Mid-States Organized Crime Information Center (MOCIC) in the amount of \$300.00 for January 1 - December 31, 2012.

The vote: Ayes: Governor Branstad
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

The meeting was adjourned at 10:10 a.m.

Meeting
adjourned

Respectfully submitted,


Georganna Madsen
Executive Secretary